

KELLOGG, HUBER, HANSEN, TODD & EVANS, P.L.L.C.

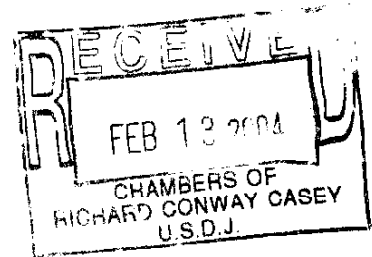
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MEMO ENDORSED

February 12, 2004



**By FEDEX OVERNIGHT**

The Honorable Richard Conway Casey  
United States District Judge  
United States Court House  
Southern District of New York  
500 Pearl Street  
Room 1350  
New York, NY 10007-1312

Re: In re Terrorist Attacks on September 11, 2001 (MDL 1570)

Dear Judge Casey:

This letter is being written on behalf of Prince Sultan bin Abdulaziz Al-Saud and Prince Turki Al-Faisal bin Abdulaziz Al-Saud. Prince Sultan is represented by the firm of Baker Botts LLP. Prince Turki is represented by Kellogg, Huber, Hansen, Todd & Evans, P.L.L.C.

Prince Sultan and Prince Turki are named as defendants in five of the actions that have been consolidated before Your Honor in the above-captioned proceeding.<sup>1</sup> Each of these complaints make virtually identical allegations.

Prior to their consolidation for pretrial proceedings by the Judicial Panel on Multi-District Litigation, only one of these cases was actively litigated. In Burnett v. Al Baraka, et al., CA 02-1616 (D.D.C.) ("Burnett"), Prince Sultan and Prince Turki facilitated service of process and then moved to dismiss the claims against them. After six rounds of briefing and oral argument, Judge Robertson on November 14, 2003, granted Prince Sultan's and Prince Turki's motions to dismiss. I enclose a copy of Judge Robertson's decision dismissing the Burnett complaint as to those defendants.

<sup>1</sup> The consolidated cases in which Prince Sultan and Prince Turki are named as defendants are: Burnett, et al. v. Al Baraka Investment & Development Corp., et al., District of Columbia, C.A. No. 1:02-1616; Ashton, et al. v. Al Qaeda Islamic Army, et al., Southern District of New York, C.A. No. 1:02-6977; Salvo, et al. v. Al Qaeda Islamic Army, et al., Southern District of New York, C.A. No. 1:03-5071; York, et al. v. Al Qaeda Islamic Army, et al., Southern District of New York, C.A. No. 1:03-5493; and Tremsky, et al. v. Osama bin Laden, et al., Southern District of New York, C.A. No. 1:02-7300.

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Prince Sultan and Prince Turki have not yet been served in the other actions against them. They wish, however, to appear voluntarily so that they can move to dismiss those actions as well. In its Order of February 6, 2004, the Court established a schedule for the filing and briefing of certain motions to dismiss. Prince Sultan and Prince Turki respectfully request permission to serve their motions in accordance with that schedule, on or before March 5, 2004, with further briefing as provided in the February 6 Order.

In addition, Prince Sultan and Prince Turki are named as defendants in a related but unconsolidated case pending before Your Honor: Federal Insurance Co., et al. v. Al Qaida, et al., Southern District of New York, C.A. No. 03-6978. Plaintiffs in that matter have indicated that they intend to file an amended complaint as soon as they receive permission from the Court to do so. Accordingly, with the Court's approval, the parties have agreed that Prince Sultan and Prince Turki will respond to the amended complaint within 60 days of its filing or as otherwise directed by the Court.

Respectfully submitted,

*William H. Jeffress, Jr.*  
William H. Jeffress, Jr.  
Counsel for Prince Sultan

*Mark C. Hansen*  
Mark C. Hansen  
Counsel for Prince Turki

cc: Service list (attached), via fax

ISSUED FORWARDED

IT IS REQUESTED that counsel to whom this Memo Undersecret is sent be responsible for faxing a copy to all counsel and retaining verification of such in case filed. Do not fax such verification to Chambers.

*Richard Conway Casey* 2/23/04